GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2278
ANSWERED ON:13.03.2001
JAIL POPULATION
SULTAN SALAHUDDIN OWAISI

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether National Human Rights Commission has sought details about jail population from all the State Governments;

(b) if so, the details thereof and the number of States which have supplied the required information;

(c) whether it is mandatory for the State Government to supply such information to NHRC twice a year;

(d) if so, the details thereof;

(e) whether NHRC is going to take some concrete steps in jail reforms especially in regard to overcrowding of jails; and

(f) if so, the details thereof?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (CH. VIDYASAGAR RAO)

(a)&(b): The National Human Rights Commission (NHRC) has advised all States and UTs to send details of prison population as on 1st January and 1st July of every year. As per information received in respect of all States and UTs, except Meghalaya and Tripura, there were 2,79,082 inmates in prisons as on 1.7.2000 against the sanctioned capacity of 2,15,981 in these States.

(c) &(d): In terms of the provisions of Section 12 of the Protection of Human Rights Act, 1993 (PHRA), the NHRC conducts inquiries either suo-moto or on a petition, into violation of human rights and also reviews the safeguards provided under law for the protection of human rights and recommend measures for their effective implementation as part of its various functions. Section 13 of the PHRA vests the NHRC with all the powers of a civil court trying a suit under the Code of Civil Procedure, 1908 while inquiring into complaints under the PHRA and in particular requisition any public record or copy thereof from any court or office. The NHRC also has the powers under Section 17 of the PHRA to call for information or report from the Central Government or any State Government while inquiring into the complaints of violations of human rights with certain provisos.

(e)&(f): The NHRC proposes to take up the question of measures to be taken to tackle the problem of over-crowding in jails with the State Governments. The Commission also plans to bring out comprehensive recommendations in this regard.